

DOWD, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

Moses Moore, et al.,)
) CASE NO. 5:03 CV 1342
Plaintiffs,)
)
v.) JUDGMENT ENTRY
)
Rohm & Haas, et al.,)
)
Defendants.)
)

For the reasons set forth in the Memorandum Opinion filed contemporaneously with this Judgment Entry, IT IS HEREBY ORDERED, ADJUDGED and DECREED that plaintiffs' motion for summary judgment (Document 169) with respect to Subclass A and B plaintiffs is granted as to liability and denied as to damages;

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Plaintiffs' motion for summary judgment (Document 169) with respect to Subclass C plaintiffs is: a) granted to the extent that Subclass C plaintiffs are vested in their retiree health benefits; b) denied to the extent that defendants violated the applicable collective bargaining agreements since 2006 by not reducing the "actual cost of retiree medical insurance" by the full amount of defendants' Medicare D subsidy; and c) denied as to damages;

IT IS FURTHER ORDERED, ADJUDGED and DECREED that defendants' motion for summary judgment (Document 162) with respect to Subclass A and B plaintiffs is denied;

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Defendants' motion for summary judgment (Document 162) with respect to Subclass C plaintiffs is: a) denied to the

(5:03 CV 1342)

extent that Subclass C plaintiffs are not vested in their retiree health benefits; b) granted to the extent that defendants did not violate the applicable collective bargaining agreements since 2006 by not reducing the “actual cost of retiree medical insurance” by the full amount of defendants’ Medicare D subsidy; and c) denied as to damages; and

IT IS FURTHER ORDERED, ADJUDGED and DECREED that defendants’ motion to strike (Document 182) is denied as moot.

The Court will conduct a status conference in this case on October 27, 2008, at 11:30a.m. At that time, the Court will inquire of defendants if there is any reason that the Court should not put on an Order requiring defendants to perform their statutory obligations under the retiree health benefits’ plan and labor agreements consistent with the contemporaneously filed Memorandum Opinion.

In addition, the parties should be prepared to discuss what discovery, if any, is necessary regarding damages.

IT IS SO ORDERED.

September 30, 2008
Date

S/ David D. Dowd, Jr.
David D. Dowd, Jr.
U.S. District Judge